

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P802876/WO/1	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/007403	International filing date (day/month/year) 07.07.2004	Priority date (day/month/year) 15.07.2003
International Patent Classification (IPC) or national classification and IPC B60J5/06		
Applicant DAIMLERCHRYSLER AG		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of 5 sheets, including this cover sheet.
3.	This report is also accompanied by ANNEXES, comprising: <ul style="list-style-type: none"> a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows: <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4.	This report contains indications relating to the following items: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input checked="" type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/007403

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (Rule 12.3 and 23.1(b))
☐ publication of the international application (Rule 12.4)
☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

☐ the international application as originally filed/furnished

☒ the description:

pages 1-11 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the claims:

nos. 1-10 as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* _____ received by this Authority on _____

nos.* _____ received by this Authority on _____

☒ the drawings:

sheets 1/6-6/6 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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International application No.

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-10</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-10</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-10</u>	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
1. Prior art			
Reference is made to document EP 0940278 A (D1), which is considered to be the closest prior art.			
2. Technical problem			
The problem addressed is that of providing an alternative slide-swivel double-door arrangement for a motor vehicle, which arrangement can be used, in particular, in vehicles having a driver's cab that is short.			
3. Solution to said problem			
The problem described above is solved according to the invention by means of the special kinematic design of the door arrangement. Said door arrangement is configured such that, when the door is open, the two slide-swivel doors are mutually parallel. Thus, when open, the two doors are together on one side of the associated opening and the overall length of the vehicle can be reduced.			

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

The vehicle door disclosed in D1 (and the arrangement thereof) consists likewise of two door-leaves (or doors) that are opened and closed in a slide-swivel manner. However, the two doors are moved in opposite directions when being opened and, in consequence, are arranged in symmetry relative to the door opening in a common plane. No alternative kinematic design is disclosed in document D1, or obvious therefrom.

Thus, the aforementioned problem is solved by means of the combination of features according to independent claim 1, which features are not known from the prior art. Said claim, and also dependent claims 2 to 10 can therefore be considered to be novel, inventive and industrially applicable (PCT Article 33(2), (3) and (4)).

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Further observations

Independent claim 1 has been duly drafted in the two-part form, but a number of features should not have been included in the characterising part, since they were disclosed in D1 in conjunction with the features indicated in the preamble (PCT Rule 6.3(b)). This applies to all the features in the characterising part of the present claim, with the exception of the following feature: *"that, when open, the second slide-swivel door is disposed in a third plane that is parallel with the second plane but displaced outwards, being close to the first opening region and also outside the side wall"*.

In addition, document D1 should be cited as prior art in the **description** (PCT Rule 5.1(a)(ii)).